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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,416	11/26/2003	Amit Bagga	503048-A-01-US (Bagga)	2635
47702 7590 01/16/2008 RYAN, MASON & LEWIS, LLP 1300 POST ROAD SUITE 205 FAIRFIELD, CT 06824			EXAMINER PATEL, NIRAV B	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 01/16/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/723,416	Applicant(s) BAGGA ET AL.	
	Examiner Nirav Patel	Art Unit 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2007 (RCE).
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4-14 and 16-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-14, 16-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Applicant's submission for RCE filed on Oct. 31, 2007 has been entered. Claims 1, 2, 4-14, 16-25 are pending. Claims 3 and 15 are canceled by the applicant and claims 1, 13, 25 are also amended by the applicant.

### **Claim Rejections - 35 USC § 112**

2. Claims 4, 5, 6, 16, 17 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 4 and 5 recite the limitation "said correlation rules" and "said one or more predefined correlation rules" respectively, lacks proper antecedent basis.

Claims 6, 16, 17 and 18 encompass limitations that are similar to limitations of claims 4 and 5. Thus, they are rejected with the same rationale applied against claims 4 and 5 above.

Appropriate correction is required.

### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 8, 13, 20 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ganesan et al. (US Patent No. 5,394,471) in view of Ogura et al (US Pub. No. 2004/0078603) and in view of Li et al (US Patent No. 7,231,381).

As per claim 1, Ganesan teaches:

rejecting said proposed password when said user is correlated with said one or proposed password if one or more of said predefined thresholds are exceeded by said results; and recording said one or more personal details as a password for said user if said proposed password is not rejected [Fig. 3, col. 8 lines 65-67, col. 9 lines 1-32, col. 10 lines 25-45, col. 5 lines 37-59].

Ganesan teaches selecting and inputting the user password (proposed password) using the user input device [col. 10 lines 25-28]. Ganesan doesn't expressively mention selection of at least one topic.

Ogura teaches presenting said user with a plurality of topics; receiving a user selection of at least one topic [Fig. 5, step 520-525]; receiving one or more personal details from said user associated with said at least one selected topic, as a proposed password [Fig. 5, steps 550-555, Fig. 9 step 930].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Ogura with Ganesan, since one would have been motivated to reset (re-generate/reinitialize) the user password (PIN) based on

secondary authentication system and protect the data within the device [paragraph 0005, 0006].

Further, Ogura teaches calculating the score/rate and comparing the score/rate with the threshold [Fig. 9]. Ganesan teaches searching the database (dictionary) for bad password [Fig. 2-4].

Li teaches:

performing an Interest search using a query containing one or more keywords derived from said proposed password (from inputted personal/desired details/information) [Fig. 1, 2, col. 8 lines 37-67, col. 9 lines 1-9]; evaluating results of said search relative to one or more predefined thresholds applicable to said at least one selected topic [col. 9 lines 41-45, col. 10 lines 26-37].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Li with Ganesan and Ogura, since one would have been motivated to retrieve the information from the lard and dynamic database effectively [Li, col. 1 lines 16-19].

As per claim 8, the rejection of claim 1 is incorporated and Ogura teaches said one or more personal details are related to a personal fact from a past of said user [Fig. 5, 9].

As per claims 13 and 25, they encompass limitations that are similar to limitations of claim 1. Thus, they are rejected with the same rationale applied against claim 1 above.

As per claim 20, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 8. Thus, it is rejected with the same rationale applied against claim 8 above.

4. Claims 2, 7, 11, 14, 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ganesan et al. (US Patent No. 5,394,471) in view of Ogura et al (US Pub. No. 2004/0078603) and in view of Li et al (US Patent No. 7,231,381) and in view of Honarvar et al (US Patent No. 7,231,657).

As per claim 2, the rejection of claim 1 is incorporated and Ogura teaches presenting said user with a plurality of topics; receiving a user selection of at least one topic [Fig. 5, step 520-525]; receiving one or more personal details from said user associated with said at least one selected topic, as a proposed password [Fig. 5, steps 550-555, Fig. 9 step 930].

Honarvar teaches receiving a reminder associated with each of said one or more personal details [Fig. 25].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Honarvar with Ganesan, Ogura and Li, since one would have been motivated to provide access and service to user by detecting fraud and verifying the identity using dynamically customizable system [Honarvar, col. 1 lines 21-27].

As per claim 7, the rejection of claim 1 is incorporated and Honarvar teaches:

sending said one or more personal details to said user [Fig. 25, 30].

P-Synch teaches one or more personal details to said user as reinforcement of said password [page 1, page 126].

As per claim 11, the rejection of claim 1 is incorporated and Honarvar teaches:

said one or more personal details can be tested during a verification phase using one or more of Boolean, multiple choice, numeric or textual queries [Fig. 26, 30, 31].

As per claim 14, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 2. Thus, it is rejected with the same rationale applied against claim 2 above.

As per claim 19, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 7. Thus, it is rejected with the same rationale applied against claim 7 above.

As per claim 23, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 11. Thus, it is rejected with the same rationale applied against claim 11 above.

5. Claims 4-6 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ganesan et al. (US Patent No. 5,394,471) in view of Ogura et al (US Pub. No. 2004/0078603) and in view of Li et al (US Patent No. 7,231,381) and in view P-Synch Installation and Configuration Guide (May 2002).

As per claim 4, the rejection of claim 1 is incorporated and P-Synch teaches:

correlation rules are based on said at least one topic [page 124-126].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine P-Synch with Ganesan, Ogura and Li, since one would have been motivated to generate strong password [P-Synch, page 2 lines 17-21].

As per claim 5, the rejection of claim 1 is incorporated and P-Synch teaches:

one or more predefined correlation rules ensure that answers to user selected questions cannot be qualitatively correlated with said user [page 124 line 1, page 126].

As per claim 6, the rejection of claim 1 is incorporated and P-Synch teaches:

one or more predefined correlation rules ensure that answers to user selected questions cannot be quantitatively correlated with said user [page 124 line 1, page 126].



As per claim 16, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 4. Thus, it is rejected with the same rationale applied against claim 4 above.

As per claim 17, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 5. Thus, it is rejected with the same rationale applied against claim 5 above.

As per claim 18, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 6. Thus, it is rejected with the same rationale applied against claim 6 above.

6. Claims 9, 10, 12, 21, 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ganesan et al. (US Patent No. 5,394,471) in view of Ogura et al (US Pub. No. 2004/0078603) and in view of Li et al (US Patent No. 7,231,381) and in view Kanevsky et al (US Patent No. 5,774,525).

As per claim 9, the rejection of claim 1 is incorporated and Ogura teaches receiving the personal detail from the user [Fig. 9].

Kanevsky teaches said one or more personal details are related to an experience of said user in connection with a public event [col. 3 lines 31-45].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Kanevsky with Ganesan, Ogura and Li, since one would have been motivated to provide dynamic questioning to provide secure access control [Kanevsky, col. 2 lines 7-8].

As per claim 10, the rejection of claim 1 is incorporated and Kanevsky teaches said one or more personal details are related to an experience of said user in connection with a private event [col. 3 lines 31-45].

As per claim 12, the rejection of claim 1 is incorporated and Kanevsky teaches said at least one topic is selected based on psychological insights [col. 5 lines 60-65].

As per claim 21, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 9. Thus, it is rejected with the same rationale applied against claim 9 above.

As per claim 22, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 10. Thus, it is rejected with the same rationale applied against claim 10 above.

As per claim 24, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 12. Thus, it is rejected with the same rationale applied against claim 12 above.

### **Response to Amendment**

7. Applicant has amended claims 1, 13 and 25 which necessitated new ground of rejection. See rejection above.

### **Conclusion**

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jost et al (US 7043439) – Machine interface

Beeferman (US 2002/0156778) – Phrase-based text searching

Goldberg et al (US 5895466) – Automated natural language understanding customer service system

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nirav Patel whose telephone number is 571-272-5936. The examiner can normally be reached on 8 am - 4:30 pm (M-F).

Application/Control Number:  
10/723,416  
Art Unit: 2135

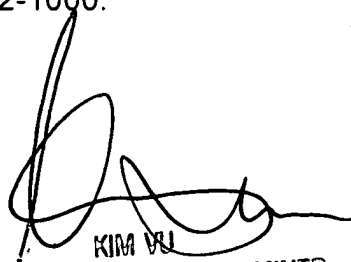
Page 11

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*NBP*

*1/8/08*

  
KIM VU  
SENIOR PATENT EXAMINER  
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